

### REMARKS

Claims 9 to 11 and 13 to 15 are pending in the present application. No claims have been amended by this response.

Reconsideration and reexamination of this application are respectfully requested. Entry of this Amendment After Final Rejection is respectfully requested as it cancels claims and in addition places the application in condition for allowance.

#### The §102 rejections:

The Examiner has rejected claims 16 and 18 under 35 USC §102(e) as being anticipated by Davis et al. U.S. Patent 6,815,346 (hereafter "Davis").

Claims 16 and 18 have been canceled without prejudice. In view of the cancellation of claims 16 and 18, the rejection of claims 16 and 18 under 35 USC §102(e) as being anticipated by Davis et al. U.S. Patent 6,815,346 is now moot.

#### The §103 rejections:

The Examiner has rejected claims 9 to 11 and 13 to 15 under 35 USC §103(a) as being obvious over Davis in view of Chooi et al. U.S. Patent 6,372,636.

Davis is disqualified under 35 USC §103(c) as prior art due to the common ownership of Davis and the present application at the time the invention was made. A statement to this effect per MPEP §706.02(1)(2) is made in the next section. Accordingly, the rejection of

claims 9 to 11 and 13 to 15 under 35 USC §103(a) has been overcome.

**STATEMENT REGARDING COMMON OWNERSHIP:**

Davis and the present application were, at the time the invention of the present application was made, owned by the International Business Machines Corporation.

**Summary:**

In view of all of the preceding remarks, claims 9 to 11 and 13 to 15 are in condition for allowance. If the Examiner finds this application deficient in any respect, the Examiner is invited to telephone the undersigned at the Examiner's earliest convenience to resolve such deficiency.

Respectfully Submitted,  
Birendra Agarwala, et al.

A handwritten signature in dark ink, appearing to read 'Ira D. Blecker', is written over a horizontal line.

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